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a first computer code device configured to directly monitor user selections of the plurality of operations of the interface by the user, and configured to generate a log of the monitored data, the log indicating the selections of the plurality of operations by the user; and  
a second computer code device configured to communicate the log of the monitored data.

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#### REMARKS

Favorable reconsideration of this application, in view of the following comments and as presently amended, is respectfully requested.

Initially, applicant and applicants' representative wish to thank Examiners Tran and Cabeca for the interview granted to discuss the above-identified application. During the interview the outstanding rejections were discussed in detail. Further, during the interview claim amendments were discussed to help to clarify the claims over the applied art. The Examiners indicated they would further consider such claim amendments when formally presented in a filed response.

Applicants also note that an Information Disclosure Statement was filed March 1, 2001, which at this point has not been considered. Consideration of that Information Disclosure Statement is respectfully requested. For convenience a copy of that filed Information Disclosure Statement is provided herewith.

Claims 1-28 are pending in this application. The drawings were objected to for informalities. The Abstract was objected to for informalities. Claims 7, 14, 21, and 28 were rejected under 35 U.S.C. § 112, second paragraph. Claims 1-3, 5-10, 12-17, 19-24, and 26-28 were rejected under 35 U.S.C. § 102(e) as anticipated by U.S. 6,202,199B1 to Wygodny et

al. (herein "Wygodny"). Claims 4, 11, 18, and 25 were rejected under 35 U.S.C. § 103(a) as unpatentable over Wygodny in view of U.S. 5,790,117 to Halviatti et al. (herein "Halviatti").

Addressing first the objection to the drawings, Figures 10 and 11 were objected to as certain elements shown therein required labels. That position is traversed as the noted elements in Figures 10 and 11 are believed to be proper as currently shown. More specifically, in both Figures 10 and 11 the noted elements are keys, for example virtual keys on a computer screen that are pointed to by a mouse and "clicked" on. Those elements are not "black boxes" that have a particular function. Thus, the representation of the keys as squares in Figures 10 and 11 is believed to be proper.

Addressing now the objection to the Abstract, the Abstract is believed to be proper as currently written. First, it is not believed that MPEP § 608.01(b) indicates that the specifically noted terms in the Abstract, such as "as examples", are improper. In fact it is believed that it would be improper if the Abstract was amended as suggested in the Office Action as then the Abstract would not be commensurate in scope with the disclosed invention. Thus, the Abstract is believed to be proper as currently written.

Addressing now the rejection of claims 7, 14, 21, and 28 under 35 U.S.C. § 112, second paragraph, that rejection is traversed. The rejection is based on the position that claims 7, 14, 21, and 28 are multiple dependent claims. However, multiple dependent claims are proper and it is unclear why the Office Action indicates that claims 7, 14, 21, and 28 would be subject to any rejection under 35 U.S.C. § 112. Those claims are written as proper multiple dependent claims. Thus, claims 7, 14, 21, and 28 are believed to be in full compliance with all requirements under 35 U.S.C. § 112, second paragraph.

Addressing now the rejection of claims 1-3, 5-10, 12-17, 19-24, and 26-28 under 35 U.S.C. § 102(e) as anticipated by Wygodny, that rejection is traversed by the present response.

It is initially noted that each of the pending claims has been amended by the present response to clarify a feature recited therein. Specifically, the pending claims clarify the monitoring operation. Independent claim 1 now recites "a monitoring unit configured to directly monitor user selections of the plurality of operations of the interface by the user, and to generate a log on the monitor data, the log indicating the selections of the plurality of operations by the user". The other independent claims have been similarly amended.

According to the invention recited in the claims an interface, such as a computer screen, an LCD touch pad for a copying machine, etc., includes a plurality of operations that can be selected by a user. A monitoring unit directly monitors the user selections of the plurality of operations. A log of the monitored data indicating the selections of the plurality of operations by the user is then generated, and that log can be communicated.

With such a system in the claimed invention exactly what operations of an interface a user selects can be simply and easily monitored. Such a feature in the claimed invention is neither taught nor suggested by Wygodny.

Wygodny is directed to a software system that facilitates the process of identifying and isolating bugs within a client program by allowing a developer to retrace the execution paths of the client.<sup>2</sup> In that aspect the client in the device of Wygodny is the program to be traced.<sup>3</sup> Thereby, Wygodny teaches a process of using a monitoring program to monitor and

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<sup>2</sup>Wygodny at column 2, lines 53-56.

<sup>3</sup>Wygodny at column 5, lines 28-31.

record information about the execution of the client, i.e., the program to be traced, while the client is running.<sup>4</sup> To achieve the above operation Wygodny utilizes a program referred to as a bug trapper analyzer 106 to create a trace control information (TCI) file 120.<sup>5</sup>

Wygodny differs from the present invention in the following aspects.

The claimed invention *directly monitors* actual user selections of a plurality of operations. As one non-limiting example, if a graphical user interface is put on a computer screen the claimed invention can monitor the commands in the graphical user interface a user selects. The claimed invention achieves that operation by actually monitoring the user selections *directly*. In contrast to the claimed invention, Wygodny *does not directly monitor* user selections, but instead only monitors a program while it is running. That is, in Wygodny the running and execution of a program is monitored.

In contrast to Wygodny, in the claimed invention the *user selections* of an operation on an interface of a target application are *directly monitored*.

It is also noted that the device of Wygodny has a different objective than that of the claimed invention. As noted above, the claimed invention is designed to monitor how a user utilizes an interface, such as a graphical user interface as one non-limiting example.

Wygodny, in contrast to the claimed invention, is directed to debugging a program, and thus Wygodny is not concerned with directly monitoring user selections of an interface, but instead is only concerned with how a program is being executed.

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<sup>4</sup>Wygodny at column 4, lines 54-57.

<sup>5</sup>Wygodny at column 5, lines 25-28.

In such ways, the invention as recited in the claims differs from the teachings in Wygodny. Thus, each of the pending claims is believed to patentably define over the teachings in Wygodny for the reasons noted above.

Addressing now the further rejection of claims 4, 11, 18, and 25 under 35 U.S.C. § 103(a) as unpatentable over Wygodny in view of Halviatti, that further rejection is traversed by the present response.

First, Halviatti cannot overcome any of the above-noted deficiencies of Wygodny with respect to the independent claims from which dependent claims 4, 11, 18, and 25 depend.

It is further noted that the teachings in Halviatti have no relevance to the teachings in Wygodny and are not properly applicable to the teachings in Wygodny. As noted above Wygodny is not directed to a device that monitors a target interface, but instead is directed to a device that debugs a computer program. The broad teachings in Halviatti to an interface of an operation panel of an appliance are completely unrelated to the system or objective of the device to Wygodny. Thus, one of ordinary skill in the art would not incorporate any teachings in Halviatti in the device of Wygodny, in contrast to the position in the Office Action. Thus, for these further reasons claims 4, 11, 18, and 25 even further distinguish over the applied art.

In summary, the drawings and Abstract are in full compliance with all requirements. Further, claims 7, 14, 21, and 28 are in full compliance with all requirements under 35 U.S.C. § 112, second paragraph. Moreover, each of the pending claims patentably defines over the applied art to Wygodny, and even further in view of any teachings in Halviatti.

As no other issues are pending in this application, it is respectfully submitted that the present application is now in condition for allowance, and it is hereby respectfully requested that this case be passed to issue.

Respectfully submitted,

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**Marked-Up Copy**

Serial No: 09/311,148

Amendment Filed on:

3-11-62

IN THE CLAIMS

--1. (Amended) A system comprising:

an interface of a target application, the interface comprising a plurality of operations to be selected by a user;

a monitoring unit configured to directly monitor [data of selecting] user selections of the plurality of operations of the interface by the user, and to generate a log of the monitored [data;] data, the log indicating the selections of the plurality of operations by the user;

a communicating device configured to communicate the log of the monitored data.

8. (Amended) A system comprising:

interface means of a target application means, the interface means for providing a plurality of operations to be selected by a user;

monitoring means for directly monitoring [data of selecting] user selections of the plurality of operations of the interface means by the user, and for generating a log of the monitored [data;] data, the log indicating the selections of the plurality of operations by the user;

communicating mans for communicating the log of the monitored data.

15. (Amended) A method of monitoring usage of an interface of a target application, the interface including a plurality of operations to be selected by a user, comprising the steps of:

directly monitoring [data of selecting] user selections of the plurality of operations of the interface by the user;

generating a log of the monitored [data;] data, the log indicating the selections of the plurality of operations by the user; and

communicating the log of the monitored data.

22. (Amended) A computer program product comprising:

a computer storage medium and a computer program code mechanism embedded in the computer storage medium for causing a computer to monitor a user's usage of an interface of a target application, the interface comprising a plurality of operations to be selected by a user, comprising:

a first computer code device configured to directly monitor [data of selecting] user selections of the plurality of operations of the interface by the user, and configured to generate a log of the monitored [data;] data, the log indicating the selections of the plurality of operations by the user; and

a second computer code device configured to communicate the log of the monitored data.--





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OSMM&N File No. 5244-0092-2

Dept.: PP

By: MIS/jmh

Serial No. 09/311,148

In the matter of the Application of: Tetsuro MOTOYAMA, et al.

For: APPLICATION UNIT MONITORING AND REPORTING SYSTEM AND METHOD

The following has been received in the U.S. Patent Office on the date stamped hereon:

- ☐ pp. Specification & Claims/Drawings      Sheets
- ☐ Combined Declaration, Petition & Power of Attorney      pages
- ☐ List of Inventor Names and Addresses
- ☐ Utility Patent Application      ☐ CPA
- ☐ Notice of Priority      ☐ Priority Doc
- ☐ Check for      ☒ Dep. Acct. Order Form
- ☐ Fee Transmittal Form
- ☐ Assignment/PTO-1595 pages:
- ☐ Letter to Official Draftsman
- ☐ Letter Requesting Approval of Drawing Changes
- ☐ Drawings      sheets ☐ Formal
- ☐ Letter
- ☐ Amendment
- ☒ Information Disclosure Statement      ☒ PTO-1449
- ☒ Cited References ( 4 )
- ☒ FRENCH Search Report (with English Translation of Category of the Cited Documents)
- ☐ Statement of Relevancy
- ☐ IDS/Related/List of Related Cases      ☐ Cited Pending Applications ( )
- ☐ Restriction Response      ☐ Election Response
- ☐ Rule 132 Declaration
- ☐ Petition for Extension of Time
- ☐ Notice of Appeal
- ☐ Brief
- ☐ Issue Fee Transmittal
- ☐ White Advanced Serial Number Card





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Docket No. 5244-0092-2/jmh

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Tetsuro MOTOYAMA, et al.

SERIAL NO: 09/311,148

GAU: 2774

FILED: May 13, 1999

EXAMINER:

FOR: APPLICATION UNIT MONITORING AND REPORTING SYSTEM AND METHOD

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INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR 1.97

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

SIR:

Applicant(s) wish to disclose the following information.

REFERENCES

- ☒ The applicant(s) wish to make of record the references cited in the attached French Search Report listed on the attached form PTO-1449. Copies of the listed references are attached, where required, as are either statements of relevancy or any readily available English translations of pertinent portions of any non-English language references.
- ☐ A check is attached in the amount required under 37 CFR §1.17(p).

RELATED CASES

- ☐ Attached is a list of applicant's pending application(s) or issued patent(s) which may be related to the present application. A copy of the patent(s), together a copy of the claims and drawings of the pending application(s) is attached along with PTO 1449.
- ☐ A check is attached in the amount required under 37 CFR §1.17(p).

CERTIFICATION

- ☒ Each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.
- ☐ No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this statement.

DEPOSIT ACCOUNT

- ☒ Please charge any additional fees for the papers being filed herewith and for which no check is enclosed herewith, or credit any overpayment to deposit account number 15-0030. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
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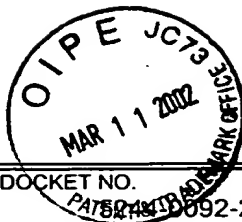
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Form PTO 1449 (Modified)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY DOCKET NO. PATENT 092-2		SERIAL NO. 09/311,148	
LIST OF REFERENCES CITED BY APPLICANT				APPLICANT Tetsuro MOTOYAMA, et al.			
				FILING DATE May 13, 1999		GROUP 2774	
U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	AA	5,887,216	03/23/99	T. MOTOYAMA			
	AB						
	AC						
	AD						
	AE						
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FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION YES NO		
	AO	0 938 036	08/25/99	EUROPE			X
	AP						
	AQ						
	AR						
	AS						
	AT						
	AU						
	AV						
OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, etc.)							
	AW	R.A. MAXION, et al., IEEE Comp. Soc. Press, pps. 89-98, "METRISTATION: A TOOL FOR USER-INTERFACE FAULT DETECTION," June 24, 1997					
	AX	IBM Technical Disclosure Bulletin, Vol. 38, No. 5, pps. 253-254, "LAN-BASED KEYSTROKE MONITOR," May 1, 1995					
	AY						
	AZ						
Examiner					Date Considered		
*Examiner: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							

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